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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,079	03/29/2001	Shigeyuki Kawai	SON-1846/STP	6806

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EXAMINER

BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,079

Applicant(s)

KAWAI ET AL.

Examiner

Bradley Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-11 are presented for examination on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tomoyuki et al, U.S. Patent 5,991,747

As per the following claims, Tomoyuki et al. discloses:

1. An electronic money system, including electronic money terminal means for debiting the amount data equivalent to the amount consumed by the user from the amount data disposed in an information card, characterized by comprising:

- installment transaction history data accumulation means for accumulating the amount data equivalent to said consumed amount as installment transaction history data instead of debiting the amount data equivalent to said consumed amount from said information card (figures 2a-b, 3 and associated text);
- payment receiving means for receiving any part or all of the installment balance accumulated in said installment transaction history data accumulation means, as an installment amount (figure 1 and associated text);

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- and installment balance management means for determining a new balance by subtracting the installment amount received by said payment receiving means, from said installment balance (figures 3, 4 and associated text).
2. The electronic money system according to claim 1, characterized in that said installment transaction history data accumulation means comprises:
- first accumulating means for accumulating said installment transaction history data in said electronic money terminal means once according to said amount consumed by the user (figures 11-12b and associated text; columns 3-4); and
 - second accumulating means for gathering, from said electronic money terminal means, and accumulating said installment transaction history data accumulated in said electronic money terminal means by said first accumulating means (column 9, lines 24-40).
3. The electronic money system according to claim 1, characterized in that said payment receiving means sets the minimum value of said installment amount according to said installment balance (figure 5 and associated text).
4. An electronic money terminal, that debits the amount data equivalent to the amount consumed by the user from the amount data disposed in an information card, comprising:
- installment transaction history data accumulation means for accumulating the amount data equivalent to said consumed amount as installment transaction history data instead of debiting the amount data equivalent to said consumed amount from said information card (figures 2a-b, 3 and associated text),

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- characterized in that said installment transaction history data is sent to installment management means upon request from said installment management means (figures 11-12b and associated text).

5. A transaction method by means of an electronic device which contains monetary value as electronic money, characterized in that said transaction method accumulates the amount data equivalent to transaction amounts as installment transaction history data and receives part or all of the accumulated installment balance as a minimum payment (figures 5 and 10 and associated text).

6. The transaction method by means of an electronic device according to claim 5, characterized in that said minimum payment is decided freely for each transaction (figure 4 and associated text).

7. The transaction method by means of an electronic device according to claim 5, characterized in that said electronic money is capable of credit transactions and that a plurality of transactions are settled in one communication exchange (columns 1-2).

8. The transaction method by means of an electronic device according to claim 5, characterized in that said installment transaction history data is sent to installment management means (figures 3-4 and associated text).

9. The transaction method by means of an electronic device according to claim 5, characterized in that said electronic device is a card sized storage medium (figures 1, 13 and associated text).

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11. The transaction method by means of an electronic device according to claim 5, characterized in that said electronic device is a portable terminal (figure 1, 13 and associated text).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tomoyuki et al., U.S. Patent 5,991,747.

Tomoyuki discloses a transaction method by means of an electronic device which contains monetary value as electronic money, characterized in that said transaction method accumulates the amount data equivalent to transaction amounts as installment transaction history data and receives part or all of the accumulated installment balance as a minimum payment (figures 5 and 10 and associated text). Tomoyuki fails to explicitly teach the use of a contact-less information card that sends and receives data. Official notice is taken that contact-less data cards is an old and well-known type of card processing method in the chip and smart card computer art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement Tomoyuki's electronic purse system utilizing contact-less cards thereby avoiding the common problems of warping or stress after prolonged usage, resulting in disturbed electrical connections and ultimately a lower level of reliability.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Patent No. 6,064,987 to Walker et al.

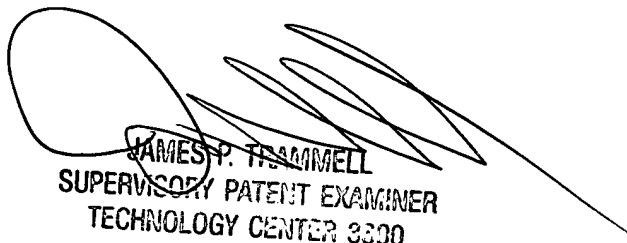
Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

bbb
December 10, 2003


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3300